

HURRELL CANTRALL LLP
 725 S. FIGUEROA STREET, SUITE 3800
 LOS ANGELES, CALIFORNIA 90017
 TELEPHONE (213) 426-2000

1 Thomas C. Hurrell, State Bar No. 119876

E-Mail: thurrell@hurrellcantrall.com

2 Jordan S. Stern, State Bar No. 311527

E-Mail: jsstern@hurrellcantrall.com

3 Nicole G. Ortega, State Bar No. 345882

E-Mail: nortega@hurrellcantrall.com

4 HURRELL CANTRALL LLP

725 S. Figueroa Street, Suite 3800

5 Los Angeles, California 90017

Telephone: (213) 426-2000

6 Facsimile: (213) 426-2020

7 Attorneys for Defendants, COUNTY OF LOS ANGELES and BLAKE RUNGE

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10 **UNITED STATES DISTRICT COURT**

11 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

13 URSULA BYRAM, S.B. by and
 14 through guardian ad litem TIMOTHY
 15 BYRAM, N.B. by and through guardian
 16 ad litem TIMOTHY BYRAM, and A.B.
 17 by and through guardian ad litem
 18 KAITLYN HUMENCHUK,
 19 individually and as successors-in-
 20 interest to Everett Byram,

21 Plaintiffs,

22 v.

23 COUNTY OF LOS ANGELES,
 24 BLAKE RUNGE, and BRENDA
 25 ALCANTARA,

26 Defendants.

Case No. 2:23-cv-09285-KS

**DEFENDANTS COUNTY OF LOS
 ANGELES AND BLAKE RUNGE'S
 ANSWER TO PLAINTIFFS' FIRST
 AMENDED COMPLAINT;
 DEMAND FOR JURY TRIAL**

[Assigned to Hon. Karen L. Stevenson,
 Courtroom 580]

27 Pursuant to Rule 8(b) of the Federal Rules of Civil Procedure, Defendants
 28 COUNTY OF LOS ANGELES and BLAKE RUNGE ("Defendants") for itself
 alone and for no other persons, entities, firms or corporations, answers to the First
 Amended Complaint for Damages of Plaintiffs URSULA BYRAM, S.B. and N.B.
 by and through their guardian ad litem, TIMOTHY BYRAM; and A.B. by and

1 through his guardian ad litem KAITLYN HUMENCHUK ("Plaintiffs"). If an
 2 averment is not specifically admitted, it is hereby denied.

3 INTRODUCTION

4 1. In answer to paragraph 1, Defendants admit this action is seeking
 5 compensatory and punitive damages from Defendants for violating various rights
 6 under the United States Constitution and state law in connection with the alleged
 7 shooting of decedent, EVERETT BYRAM, on February 10, 2023. However,
 8 Defendants deny that Plaintiffs are entitled to an award of damages, or any other
 9 form of relief as requested in the Complaint as a result of any acts or omissions by
 10 the answering Defendants. As to the remaining allegations contained in said
 11 paragraph, Defendants are without sufficient knowledge or information to form a
 12 belief as to the truth of the allegations contained in said paragraph and on that basis,
 13 Defendants deny each and every allegation contained herein.

14 JURISDICTION AND VENUE

15 2. In answer to paragraph 2, Defendants acknowledge that Plaintiffs are
 16 bringing this action pursuant to 28 U.S.C. §§ 1331 and 1343(a)(3)-(4) for claims
 17 arising under the laws of the United States including 42 U.S.C. § 1983 and the
 18 Fourth Amendment of the United States Constitution. Defendants admit that venue
 19 is proper.

20 3. In answer to paragraph 3, Defendants further acknowledge that there is
 21 supplemental jurisdiction over Plaintiffs' state law claims pursuant to 28 U.S.C. §
 22 1367(a). Defendants admit that venue is proper.

23 4. In an answer to paragraph 4, Defendants admit venue is proper.

24 5. In an answer to paragraph 5, Defendants acknowledge and admit
 25 receipt of summons and complaint to the COUNTY OF LOS ANGELES.

26 6. In answer to paragraph 6, Defendants are without sufficient knowledge
 27 or information to form a belief as to the truth of the allegations contained in said
 28 paragraph, and on that basis, Defendants deny each and every allegation contained

herein. Defendants further deny the allegations of said paragraph as they are vague.

PARTIES

7. In answer to paragraph 7, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

8. In answer to paragraph 8, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

9. In answer to paragraph 9, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

10. In answer to paragraph 10, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

11. In answer to paragraph 11, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

12. In answer to paragraph 12, Defendants admits that COUNTY OF LOS ANGELES is a public entity duly organized and existing under the laws of the State of California. As to the remainder of the allegations contained in said paragraph, Defendants are without sufficient knowledge or information to form a belief as to

1 the truth of the allegations contained in said paragraph, and on that basis,
2 Defendants deny each and every allegation contained herein. Defendants further
3 deny the allegations of said paragraph as they are vague.

4 13. In answer to paragraph 13, Defendants admit that RUNGE and
5 ALCANTARA were a duly appointed County Sheriff's Deputies. As to the
6 remainder of the allegations contained in said paragraph, Defendants are without
7 sufficient knowledge or information to form a belief as to the truth of the allegations
8 contained in said paragraph, and on that basis, Defendants deny each and every
9 allegation contained herein. Defendants further deny the allegations of said
10 paragraph as they are vague.

11 14. Answering paragraph 14, Defendants are without sufficient knowledge
12 or information to form a belief as to the truth of the allegations contained in said
13 paragraph, and on that basis, Defendants deny each and every allegation contained
14 herein. Defendants further deny the allegations of said paragraph as they are vague.

15 15. Answering paragraph 15, Defendants are without sufficient knowledge
16 or information to form a belief as to the truth of the allegations contained in said
17 paragraph, and on that basis, Defendants deny each and every allegation contained
18 herein. Defendants further deny the allegations of said paragraph as they are vague.

19 16. In answer to paragraph 16, Defendants are without sufficient
20 knowledge or information to form a belief as to the truth of the allegations contained
21 in said paragraph, and on that basis, Defendants deny each and every allegation
22 contained herein. Defendants further deny the allegations of said paragraph as they
23 are vague.

24 17. In answer to paragraph 17, Defendants are without sufficient
25 knowledge or information to form a belief as to the truth of the allegations contained
26 in said paragraph, and on that basis, Defendants deny each and every allegation
27 contained herein. Defendants further deny the allegations of said paragraph as they
28 are vague.

18. In answer to paragraph 18, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

FACTS COMMON TO ALL CLAIMS FOR RELIEF

19. In answer to paragraph 19, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

20. In answer to paragraph 20, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

21. In answer to paragraph 21, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

22. In an answer to paragraph 22, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

23. In an answer to paragraph 23, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained

1 in said paragraph, and on that basis, Defendants deny each and every allegation
2 contained herein. Defendants further deny the allegations of said paragraph as they
3 are vague.

4 24. In an answer to paragraph 24, Defendants are without sufficient
5 knowledge or information to form a belief as to the truth of the allegations contained
6 in said paragraph, and on that basis, Defendants deny each and every allegation
7 contained herein. Defendants further deny the allegations of said paragraph as they
8 are vague.

9 25. In an answer to paragraph 25, Defendants are without sufficient
10 knowledge or information to form a belief as to the truth of the allegations contained
11 in said paragraph, and on that basis, Defendants deny each and every allegation
12 contained herein. Defendants further deny the allegations of said paragraph as they
13 are vague.

14 26. In an answer to paragraph 26, Defendants are without sufficient
15 knowledge or information to form a belief as to the truth of the allegations contained
16 in said paragraph, and on that basis, Defendants deny each and every allegation
17 contained herein. Defendants further deny the allegations of said paragraph as they
18 are vague.

19 27. In an answer to paragraph 27, Defendants are without sufficient
20 knowledge or information to form a belief as to the truth of the allegations contained
21 in said paragraph, and on that basis, Defendants deny each and every allegation
22 contained herein. Defendants further deny the allegations of said paragraph as they
23 are vague.

24 28. In an answer to paragraph 28 Defendants are without sufficient
25 knowledge or information to form a belief as to the truth of the allegations contained
26 in said paragraph, and on that basis, Defendants deny each and every allegation
27 contained herein. Defendants further deny the allegations of said paragraph as they
28 are vague.

1 29. In an answer to paragraph 29, Defendants are without sufficient
2 knowledge or information to form a belief as to the truth of the allegations contained
3 in said paragraph, and on that basis, Defendants deny each and every allegation
4 contained herein. Defendants further deny the allegations of said paragraph as they
5 are vague.

6 30. In an answer to paragraph 30, Defendants are without sufficient
7 knowledge or information to form a belief as to the truth of the allegations contained
8 in said paragraph, and on that basis, Defendants deny each and every allegation
9 contained herein. Defendants further deny the allegations of said paragraph as they
10 are vague.

11 31. In an answer to paragraph 31, Defendants are without sufficient
12 knowledge or information to form a belief as to the truth of the allegations contained
13 in said paragraph, and on that basis, Defendants deny each and every allegation
14 contained herein. Defendants further deny the allegations of said paragraph as they
15 are vague.

16 32. In an answer to paragraph 32, Defendants are without sufficient
17 knowledge or information to form a belief as to the truth of the allegations contained
18 in said paragraph, and on that basis, Defendants deny each and every allegation
19 contained herein. Defendants further deny the allegations of said paragraph as they
20 are vague.

21 33. In an answer to paragraph 33, Defendants are without sufficient
22 knowledge or information to form a belief as to the truth of the allegations contained
23 in said paragraph, and on that basis, Defendants deny each and every allegation
24 contained herein. Defendants further deny the allegations of said paragraph as they
25 are vague.

26 34. In an answer to paragraph 34, Defendants are without sufficient
27 knowledge or information to form a belief as to the truth of the allegations contained
28 in said paragraph, and on that basis, Defendants deny each and every allegation

1 contained herein. Defendants further deny the allegations of said paragraph as they
2 are vague.

3 35. In an answer to paragraph 35, Defendants state that these allegations
4 are not asserted against the answering Defendants, and no response is required. To
5 the extent a response is required, Defendants are without sufficient knowledge or
6 information to form a belief as to the truth of the allegations contained in said
7 paragraph, and on that basis, Defendants deny each and every allegation contained
8 herein. Defendants further deny the allegations of said paragraph as they are vague.

9 36. In an answer to paragraph 36, Defendants state that these allegations
10 are not asserted against the answering Defendants, and no response is required. To
11 the extent a response is required, Defendants are without sufficient knowledge or
12 information to form a belief as to the truth of the allegations contained in said
13 paragraph, and on that basis, Defendants deny each and every allegation contained
14 herein. Defendants further deny the allegations of said paragraph as they are vague.

15 37. In an answer to paragraph 37, Defendants are without sufficient
16 knowledge or information to form a belief as to the truth of the allegations contained
17 in said paragraph, and on that basis, Defendants deny each and every allegation
18 contained herein. Defendants further deny the allegations of said paragraph as they
19 are vague.

20 38. In an answer to paragraph 38, Defendants state that this allegation is
21 not asserted against Defendants, and no response is required. Moreover, Defendants
22 are without sufficient knowledge or information to form a belief as to the truth of
23 the allegations contained in said paragraph, and on that basis, Defendants deny each
24 and every allegation contained herein. Defendants further deny the allegations of
25 said paragraph as they are vague.

26 39. In an answer to paragraph 39, Defendants are without sufficient
27 knowledge or information to form a belief as to the truth of the allegations contained
28 in said paragraph, and on that basis, Defendants deny each and every allegation

1 contained herein. Defendants further deny the allegations of said paragraph as they
 2 are vague.

3 40. In an answer to paragraph 40, Defendants are without sufficient
 4 knowledge or information to form a belief as to the truth of the allegations contained
 5 in said paragraph, and on that basis, Defendants deny each and every allegation
 6 contained herein. Defendants further deny the allegations of said paragraph as they
 7 are vague.

8 41. In an answer to paragraph 41, Defendants are without sufficient
 9 knowledge or information to form a belief as to the truth of the allegations contained
 10 in said paragraph, and on that basis, Defendants deny each and every allegation
 11 contained herein. Defendants further deny the allegations of said paragraph as they
 12 are vague.

13 42. In an answer to paragraph 42, Defendants are without sufficient
 14 knowledge or information to form a belief as to the truth of the allegations contained
 15 in said paragraph, and on that basis, Defendants deny each and every allegation
 16 contained herein. Defendants further deny the allegations of said paragraph as they
 17 are vague.

18 **FIRST CAUSE OF ACTION**

19 **FOURTH AMENDMENT - EXCESSIVE FORCE (42 U.S.C. § 1983)**

20 **(Plaintiffs against Defendant RUNGE)**

21 43. In an answer to paragraph 43, which incorporates by reference the
 22 allegations of other paragraphs of the pleading, Defendants to the same extent
 23 incorporate by reference the answers provided herein to those paragraphs.

24 44. In an answer to paragraph 44, Defendants are without sufficient
 25 knowledge or information to form a belief as to the truth of the allegations contained
 26 in said paragraph, and on that basis, Defendants deny each and every allegation
 27 contained herein. Defendants further deny the allegations of said paragraph as they
 28 are vague.

1 45. In an answer to paragraph 45, Defendants are without sufficient
2 knowledge or information to form a belief as to the truth of the allegations contained
3 in said paragraph, and on that basis, Defendants deny each and every allegation
4 contained herein. Defendants further deny the allegations of said paragraph as they
5 are vague.

6 46. In an answer to paragraph 46, Defendants are without sufficient
7 knowledge or information to form a belief as to the truth of the allegations contained
8 in said paragraph and on that basis, Defendants deny each and every allegation
9 contained herein. However, as to BLAKE RUNGE, Defendant denies each and
10 every allegation in this paragraph relating to the conduct allegedly attributable to
11 him, and therefore denies any liability.

12 47. Answering paragraph 47, Defendants state that because Plaintiffs have
13 not identified by name any specific individuals, Defendants are without sufficient
14 knowledge or information to form a belief as to the truth of the allegations contained
15 in said paragraph and on that basis, Defendants deny each and every allegation
16 contained herein. However, as to BLAKE RUNGE, Defendant denies each and
17 every allegation in this paragraph relating to the conduct allegedly attributable to
18 him, and therefore denies any liability.

19 48. In an answer to paragraph 48, Defendants are without sufficient
20 knowledge or information to form a belief as to the truth of the allegations contained
21 in said paragraph and on that basis, Defendants deny each and every allegation
22 contained herein. However, as to BLAKE RUNGE, Defendant denies each and
23 every allegation in this paragraph relating to the conduct allegedly attributable to
24 him, and therefore denies any liability.

25 49. In an answer to paragraph 49, Defendants are without sufficient
26 knowledge or information to form a belief as to the truth of the allegations contained
27 in said paragraph, and on that basis, Defendants deny each and every allegation
28 contained herein. Defendants further deny the allegations of said paragraph as they

1 are vague.

2 50. In answer to paragraph 50, Defendants state that because Plaintiffs have
3 not identified by name any specific individuals, Defendants are without sufficient
4 knowledge or information to form a belief as to the truth of the allegations contained
5 in said paragraph and on that basis, Defendants deny each and every allegation
6 contained herein. However, as to BLAKE RUNGE, Defendant denies each and
7 every allegation in this paragraph relating to the conduct allegedly attributable to
8 him, and therefore denies any liability.

9 51. In an answer to paragraph 51, Defendants are without sufficient
10 knowledge or information to form a belief as to the truth of the allegations contained
11 in said paragraph, on that basis, deny each and every allegation against these
12 Defendants contained herein. Defendants deny that Plaintiffs are entitled to an
13 award of damages, or any other form of relief as requested in the Complaint as a
14 result of any acts or omissions by these answering Defendants. However, as to
15 BLAKE RUNGE, Defendant denies each and every allegation in this paragraph
16 relating to the conduct allegedly attributable to him, and therefore denies any
17 liability.

18 52. In answer to paragraph 52, Defendants are without sufficient
19 knowledge or information to form a belief as to the truth of the allegations contained
20 in said paragraph, and on that basis, Defendants deny each and every allegation
21 contained herein. Defendants further deny the allegations of said paragraph as they
22 are vague.

23 53. In answer to paragraph 53, Defendants state that because Plaintiffs have
24 not identified by name any specific individuals, Defendants are without sufficient
25 knowledge or information to form a belief as to the truth of the allegations contained
26 in said paragraph and on that basis, Defendants deny each and every allegation
27 contained herein. However, as to BLAKE RUNGE, Defendant denies each and
28 every allegation in this paragraph relating to the conduct allegedly attributable to

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 725 S. FIGUEROA STREET, SUITE 3800
 LOS ANGELES, CALIFORNIA 90017
 TELEPHONE (213) 426-2000

1 him, and therefore denies any liability.

2 54. Answering paragraph 54, Defendants are without sufficient knowledge
 3 or information to form a belief as to the truth of the allegations contained in said
 4 paragraph, and on that basis, Defendants deny each and every allegation contained
 5 herein. However, as to BLAKE RUNGE, Defendant denies each and every
 6 allegation in this paragraph relating to the conduct allegedly attributable to him, and
 7 therefore denies any liability.

8 55. Answering paragraph 55, Defendants deny that Plaintiffs are entitled to
 9 an award of damages, or any other form of relief as requested in the Complaint as a
 10 result of any acts or omissions by answering Defendants. As to the remaining
 11 allegations contained in said paragraph, Defendants are without sufficient
 12 knowledge or information to form a belief as to the truth of the allegations contained
 13 in said paragraph, and on that basis, Defendants deny each and every allegation
 14 contained herein. Defendants further deny the allegations of said paragraph as they
 15 are vague.

16 56. Answering paragraph 56, Defendants are without sufficient knowledge
 17 or information to form a belief as to the truth of the allegations contained in said
 18 paragraph, on that basis, deny each and every allegation against these Defendants
 19 contained herein. Defendants deny that Plaintiffs are entitled to an award of
 20 damages, or any other form of relief as requested in the Complaint as a result of any
 21 acts or omissions by these answering Defendants. However, as to BLAKE RUNGE,
 22 Defendant denies each and every allegation in this paragraph relating to the conduct
 23 allegedly attributable to him, and therefore denies any liability.

24 **SECOND CLAIM FOR RELIEF**

25 **FOURTEENTH AMENDMENT - DENIAL OF FAMILIAL RELATIONSHIP**

26 **(42 U.S.C. §1983)**

27 **(Plaintiffs against Defendant RUNGE)**

28 57. Answering paragraph 57, which incorporates by reference the

HURRELL CANTRALL LLP
725 S. FIGUEROA STREET, SUITE 3800
LOS ANGELES, CALIFORNIA 90017
TELEPHONE (213) 426-2000

1 allegations of other paragraphs of the pleading, Defendants to the same extent
2 incorporate by reference the answers provided herein to those paragraphs.

3 58. Answering paragraph 58, Defendants are without sufficient knowledge
4 or information to form a belief as to the truth of the allegations contained in said
5 paragraph, and on that basis, Defendants deny each and every allegation contained
6 herein. Defendants further deny the allegations of said paragraph as they are vague.

7 59. In answer to paragraph 59, Defendants are without sufficient
8 knowledge or information to form a belief as to the truth of the allegations contained
9 in said paragraph, and on that basis, Defendants deny each and every allegation
10 contained herein. Defendants further deny the allegations of said paragraph as they
11 are vague.

12 60. In answer to paragraph 60, Defendants are without sufficient
13 knowledge or information to form a belief as to the truth of the allegations contained
14 in said paragraph, and on that basis, Defendants deny each and every allegation
15 contained herein. Defendants further deny the allegations of said paragraph as they
16 are vague.

17 61. Answering paragraph 61, Defendants are without sufficient knowledge
18 or information to form a belief as to the truth of the allegations contained in said
19 paragraph, and on that basis, Defendants deny each and every allegation contained
20 herein. Defendants further deny the allegations of said paragraph as they are vague.

21 62. In answer to paragraph 62, Defendants are without sufficient
22 knowledge or information to form a belief as to the truth of the allegations contained
23 in said paragraph, and on that basis, Defendants deny each and every allegation
24 contained herein. Defendants further deny the allegations of said paragraph as they
25 are vague.

26 63. In answer to paragraph 63, Defendants are without sufficient
27 knowledge or information to form a belief as to the truth of the allegations contained
28 in said paragraph and on that basis, Defendants deny each and every allegation

1 contained herein. However, as to BLAKE RUNGE, Defendant denies each and
2 every allegation in this paragraph relating to the conduct allegedly attributable to
3 him, and therefore denies any liability.

4 64. In answer to paragraph 64, Defendants are without sufficient
5 knowledge or information to form a belief as to the truth of the allegations contained
6 in said paragraph and on that basis, Defendants deny each and every allegation
7 contained herein. However, as to BLAKE RUNGE, Defendant denies each and
8 every allegation in this paragraph relating to the conduct allegedly attributable to
9 him, and therefore denies any liability.

10 65. In an answer to paragraph 65, Defendants are without sufficient
11 knowledge or information to form a belief as to the truth of the allegations contained
12 in said paragraph and on that basis, Defendants deny each and every allegation
13 contained herein. However, as to BLAKE RUNGE, Defendant denies each and
14 every allegation in this paragraph relating to the conduct allegedly attributable to
15 him, and therefore denies any liability.

16 66. In answer to paragraph 66, Defendants are without sufficient
17 knowledge or information to form a belief as to the truth of the allegations contained
18 in said paragraph and on that basis, Defendants deny each and every allegation
19 contained herein. However, as to BLAKE RUNGE, Defendant denies each and
20 every allegation in this paragraph relating to the conduct allegedly attributable to
21 him, and therefore denies any liability.

22 67. In an answer to paragraph 67, Defendants deny that Plaintiffs are
23 entitled to an award of damages, or any other form of relief as requested in the
24 Complaint as a result of any acts or omissions by these answering Defendants.

25 68. Answering paragraph 68, Defendants are without sufficient knowledge
26 or information to form a belief as to the truth of the allegations contained in said
27 paragraph, on that basis, deny each and every allegation against these Defendants
28 contained herein. Defendants deny that Plaintiffs are entitled to an award of

1 damages, or any other form of relief as requested in the Complaint as a result of any
 2 acts or omissions by these answering Defendants. However, as to BLAKE RUNGE,
 3 Defendant denies each and every allegation in this paragraph relating to the conduct
 4 allegedly attributable to him, and therefore denies any liability.

5 **THIRD CLAIM FOR RELIEF**

6 **FOURTH AMENDMENT – UNLAWFUL DETENTION (42 U.S.C. §1983)**

7 **(Plaintiff URSULA BYRAM against Defendant ALCANTARA)**

8 69. In answer to paragraph 69, which incorporates by reference the
 9 allegations of other paragraphs of the pleading, Defendants to the same extent
 10 incorporate by reference the answers provided herein to those paragraphs.

11 70. In answer to paragraph 70, Defendants state that these allegations are
 12 not asserted against the answering Defendants, and no response is required. To the
 13 extent a response is required, Defendants are without sufficient knowledge or
 14 information to form a belief as to the truth of the allegations contained in said
 15 paragraph, on that basis, deny each and every allegation against these Defendants
 16 contained herein. Defendants deny the remaining allegations contained therein,
 17 including because the remaining allegations are vague.

18 71. In answer to paragraph 71, Defendants state that these allegations are
 19 not asserted against the answering Defendants, and no response is required. To the
 20 extent a response is required, Defendants are without sufficient knowledge or
 21 information to form a belief as to the truth of the allegations contained in said
 22 paragraph, and on that basis, Defendants deny each and every allegation contained
 23 herein. Defendants further deny the allegations of said paragraph as they are vague.

24 72. In answer to paragraph 72, Defendants state that these allegations are
 25 not asserted against the answering Defendants, and no response is required. To the
 26 extent a response is required, Defendants are without sufficient knowledge or
 27 information to form a belief as to the truth of the allegations contained in said
 28 paragraph, and on that basis, Defendants deny each and every allegation contained

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herein. Defendants further deny the allegations of said paragraph as they are vague.

73. In answer to paragraph 73, Defendants state that these allegations are not asserted against the answering Defendants, and no response is required. To the extent a response is required, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

74. In answer to paragraph 74, Defendants state that these allegations are not asserted against the answering Defendants, and no response is required. To the extent a response is required, Defendants deny that plaintiff is entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by these answering Defendants. As to the remaining allegations contained in said paragraph, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

FOURTH CLAIM FOR RELIEF

MUNICIPAL LIABILITY: UNCONSTITUTIONAL CUSTOM OR POLICY

(42 U.S.C. §1983)

(Plaintiffs against Defendant COUNTY OF LOS ANGELES)

75. In answer to paragraph 75, which incorporates by reference the allegations of other paragraphs of the pleading, Defendants to the same extent incorporate by reference the answers provided herein to those paragraphs.

76. In answer to paragraph 76, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they

1 are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each
2 and every allegation in this paragraph relating to the conduct allegedly attributable
3 to it, and therefore denies any liability.

4 77. Answering paragraph 77, Defendants state that because Plaintiffs have
5 not identified by name any specific individuals, Defendants are without sufficient
6 knowledge or information to form a belief as to the truth of the allegations contained
7 in said paragraph and on that basis, Defendants deny each and every allegation
8 contained herein. Defendants further deny the allegations of said paragraph as they
9 are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each
10 and every allegation in this paragraph relating to the conduct allegedly attributable
11 to it, and therefore denies any liability.

12 78. In an answer to paragraph 78, Defendants state that because Plaintiffs
13 have not identified by name any specific individuals, Defendants are without
14 sufficient knowledge or information to form a belief as to the truth of the allegations
15 contained in said paragraph and on that basis, Defendants deny each and every
16 allegation contained herein. Defendants further deny the allegations of said
17 paragraph as they are vague. However, as to COUNTY OF LOS ANGELES,
18 Defendant denies each and every allegation in this paragraph relating to the conduct
19 allegedly attributable to it, and therefore denies any liability.

20 79. Answering paragraph 79, Defendants state that because Plaintiffs have
21 not identified by name any specific individuals, Defendants are without sufficient
22 knowledge or information to form a belief as to the truth of the allegations contained
23 in said paragraph and on that basis, Defendants deny each and every allegation
24 contained herein. Defendants further deny the allegations of said paragraph as they
25 are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each
26 and every allegation in this paragraph relating to the conduct allegedly attributable
27 to it, and therefore denies any liability.

28 80. Answering paragraph 80, Defendants state that because Plaintiffs have

1 not identified by name any specific individuals, Defendants are without sufficient
2 knowledge or information to form a belief as to the truth of the allegations contained
3 in said paragraph and on that basis, Defendants deny each and every allegation
4 contained herein. Defendants further deny the allegations of said paragraph as they
5 are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each
6 and every allegation in this paragraph relating to the conduct allegedly attributable
7 to it, and therefore denies any liability.

8 81. In answer to paragraph 81, Defendants are without sufficient
9 knowledge or information to form a belief as to the truth of the allegations contained
10 in said paragraph and on that basis, Defendants deny each and every allegation
11 contained herein. Defendants further deny the allegations of said paragraph as they
12 are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each
13 and every allegation in this paragraph relating to the conduct allegedly attributable
14 to it, and therefore denies any liability.

15 82. In answer to paragraph 82, Defendants deny each and every allegation
16 contained therein as it relates to COUNTY OF LOS ANGELES

17 83. In answer to paragraph 83, Defendants deny each and every allegation
18 contained therein as it relates to COUNTY OF LOS ANGELES

19 84. In answer to paragraph 84, Defendants are without sufficient
20 knowledge or information to form a belief as to the truth of the allegations contained
21 in said paragraph, and on that basis, Defendants deny each and every allegation
22 contained herein. Defendants further deny the allegations of said paragraph as they
23 are vague.

24 85. In an answer to paragraph 85, Defendants deny each and every
25 allegation contained therein as it relates to COUNTY OF LOS ANGELES.

26 86. Answering paragraph 86, Defendants are without sufficient knowledge
27 or information to form a belief as to the truth of the allegations contained in said
28 paragraph, on that basis, deny each and every allegation against these Defendants

1 contained herein. Defendants further deny the allegations of said paragraph as they
 2 are vague. Defendants deny that Plaintiffs are entitled to an award of damages, or
 3 any other form of relief as requested in the Complaint as a result of any acts or
 4 omissions by these answering Defendants.

5 **FIFTH CLAIM FOR RELIEF**

6 **MUNICIPAL LIABILITY: FAILURE TO TRIAN (42 U.S.C. §1983)**

7 **(Plaintiffs against Defendant COUNTY OF LOS ANGELES)**

8 87. In answer to paragraph 87, which incorporates by reference the
 9 allegations of other paragraphs of the pleading, Defendants to the same extent
 10 incorporate by reference the answers provided herein to those paragraphs.

11 88. In answer to paragraph 88, Defendants are without sufficient
 12 knowledge or information to form a belief as to the truth of the allegations contained
 13 in said paragraph and on that basis, Defendants deny each and every allegation
 14 contained herein. Defendants further deny the allegations of said paragraph as they
 15 are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each
 16 and every allegation in this paragraph relating to the conduct allegedly attributable
 17 to it, and therefore denies any liability.

18 89. In answer to paragraph 89, Defendants are without sufficient
 19 knowledge or information to form a belief as to the truth of the allegations contained
 20 in said paragraph and on that basis, Defendants deny each and every allegation
 21 contained herein. Defendants further deny the allegations of said paragraph as they
 22 are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each
 23 and every allegation in this paragraph relating to the conduct allegedly attributable
 24 to it, and therefore denies any liability.

25 90. In answer to paragraph 90, Defendants are without sufficient
 26 knowledge or information to form a belief as to the truth of the allegations contained
 27 in said paragraph and on that basis, Defendants deny each and every allegation
 28 contained herein. Defendants further deny the allegations of said paragraph as they

1 are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each
2 and every allegation in this paragraph relating to the conduct allegedly attributable
3 to it, and therefore denies any liability.

4 91. In answer to paragraph 91, Defendants are without sufficient
5 knowledge or information to form a belief as to the truth of the allegations contained
6 in said paragraph and on that basis, Defendants deny each and every allegation
7 contained herein. Defendants further deny the allegations of said paragraph as they
8 are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each
9 and every allegation in this paragraph relating to the conduct allegedly attributable
10 to it, and therefore denies any liability.

11 92. In answer to paragraph 92, Defendants are without sufficient
12 knowledge or information to form a belief as to the truth of the allegations contained
13 in said paragraph and on that basis, Defendants deny each and every allegation
14 contained herein. Defendants further deny the allegations of said paragraph as they
15 are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each
16 and every allegation in this paragraph relating to the conduct allegedly attributable
17 to it, and therefore denies any liability.

18 93. Answering paragraph 93, Defendants are without sufficient knowledge
19 or information to form a belief as to the truth of the allegations contained in said
20 paragraph and on that basis, Defendants deny each and every allegation contained
21 herein. Defendants further deny the allegations of said paragraph as they are vague.
22 However, as to COUNTY OF LOS ANGELES, Defendant denies each and every
23 allegation in this paragraph relating to the conduct allegedly attributable to it, and
24 therefore denies any liability.

25 94. Answering paragraph 94, Defendants are without sufficient knowledge
26 or information to form a belief as to the truth of the allegations contained in said
27 paragraph and on that basis, Defendants deny each and every allegation contained
28 herein. Defendants further deny the allegations of said paragraph as they are vague.

1 However, as to COUNTY OF LOS ANGELES, Defendant denies each and every
 2 allegation in this paragraph relating to the conduct allegedly attributable to it, and
 3 therefore denies any liability.

4 95. In an answer to paragraph 95, Defendants are without sufficient
 5 knowledge or information to form a belief as to the truth of the allegations contained
 6 in said paragraph and on that basis, Defendants deny each and every allegation
 7 contained herein. Defendants further deny the allegations of said paragraph as they
 8 are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each
 9 and every allegation in this paragraph relating to the conduct allegedly attributable
 10 to it, and therefore denies any liability.

11 96. Answering paragraph 96, Defendants are without sufficient knowledge
 12 or information to form a belief as to the truth of the allegations contained in said
 13 paragraph, on that basis, deny each and every allegation against these Defendants
 14 contained herein. Defendants deny that Plaintiffs are entitled to an award of
 15 damages, or any other form of relief as requested in the Complaint as a result of any
 16 acts or omissions by these answering Defendants.

17 **SIXTH CLAIM FOR RELIEF**

18 **MUNICIPAL LIABILITY: RATIFICATION (42 U.S.C. §1983)**

19 **(Plaintiffs against Defendant COUNTY OF LOS ANGELES)**

20 97. In an answer to paragraph 97, which incorporates by reference the
 21 allegations of other paragraphs of the pleading, Defendants to the same extent
 22 incorporate by reference the answers provided herein to those paragraphs.

23 98. In an answer to paragraph 98, Defendants are without sufficient
 24 knowledge or information to form a belief as to the truth of the allegations contained
 25 in said paragraph and on that basis, Defendants deny each and every allegation
 26 contained herein. Defendants further deny the allegations of said paragraph as they
 27 are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each
 28 and every allegation in this paragraph relating to the conduct allegedly attributable

1 to it, and therefore denies any liability.

2 99. In answer to paragraph 99, Defendants are without sufficient
3 knowledge or information to form a belief as to the truth of the allegations contained
4 in said paragraph and on that basis, Defendants deny each and every allegation
5 contained herein. Defendants further deny the allegations of said paragraph as they
6 are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each
7 and every allegation in this paragraph relating to the conduct allegedly attributable
8 to it, and therefore denies any liability.

9 100. In answer to paragraph 100, Defendants are without sufficient
10 knowledge or information to form a belief as to the truth of the allegations contained
11 in said paragraph, and on that basis, Defendants deny each and every allegation
12 contained herein. Defendants further deny the allegations of said paragraph as they
13 are vague.

14 101. In answer to paragraph 101, Defendants are without sufficient
15 knowledge or information to form a belief as to the truth of the allegations contained
16 in said paragraph and on that basis, Defendants deny each and every allegation
17 contained herein. Defendants further deny the allegations of said paragraph as they
18 are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each
19 and every allegation in this paragraph relating to the conduct allegedly attributable
20 to it, and therefore denies any liability.

21 102. In an answer to paragraph 102, Defendants are without sufficient
22 knowledge or information to form a belief as to the truth of the allegations contained
23 in said paragraph, and on that basis, Defendants deny each and every allegation
24 contained herein. Defendants further deny the allegations of said paragraph as they
25 are vague.

26 103. In answer to paragraph 103, Defendants are without sufficient
27 knowledge or information to form a belief as to the truth of the allegations contained
28 in said paragraph, and on that basis, Defendants deny each and every allegation

1 contained herein. Defendants further deny the allegations of said paragraph as they
 2 are vague.

3 104. In an answer to paragraph 104, Defendants deny that Plaintiffs are
 4 entitled to an award of damages, or any other form of relief as requested in the
 5 Complaint as a result of any acts or omissions by answering Defendants. Defendants
 6 are without sufficient knowledge or information to form a belief as to the truth of
 7 the allegations contained in said paragraph, and on that basis, Defendants deny each
 8 and every allegation contained herein. Defendants further deny the allegations of
 9 said paragraph as they are vague. However, as to COUNTY OF LOS ANGELES,
 10 Defendant denies each and every allegation in this paragraph relating to the conduct
 11 allegedly attributable to it, and therefore denies any liability.

12 105. In answer to paragraph 105, Defendants deny that Plaintiffs are entitled
 13 to an award of damages, or any other form of relief as requested in the Complaint as
 14 a result of any acts or omissions by answering Defendants. Defendants are without
 15 sufficient knowledge or information to form a belief as to the truth of the allegations
 16 contained in said paragraph and on that basis, Defendants deny each and every
 17 allegation contained herein. Defendants further deny the allegations of said
 18 paragraph as they are vague. However, as to COUNTY OF LOS ANGELES,
 19 Defendant denies each and every allegation in this paragraph relating to the conduct
 20 allegedly attributable to it, and therefore denies any liability.

21 **SEVENTH CLAIM FOR RELIEF**

22 **AMERICAN WITH DISABILITIES ACT (42 U.S.C. §12132)**

23 **(Plaintiffs against Defendants RUNGE and COUNTY OF LOS ANGELES)**

24 106. In an answer to paragraph 106, which incorporates by reference the
 25 allegations of other paragraphs of the pleading, Defendants to the same extent
 26 incorporate by reference the answers provided herein to those paragraphs.

27 107. In an answer to paragraph 107, Defendants are without sufficient
 28 knowledge or information to form a belief as to the truth of the allegations contained

1 in said paragraph, and on that basis, Defendants deny each and every allegation
2 contained herein. Defendants further deny the allegations of said paragraph as they
3 are vague.

4 108. Answering paragraph 108, Defendants are without sufficient
5 knowledge or information to form a belief as to the truth of the allegations contained
6 in said paragraph, and on that basis, Defendants deny each and every allegation
7 contained herein. Defendants further deny the allegations of said paragraph as they
8 are vague.

9 109. In answer to paragraph 109, Defendants are without sufficient
10 knowledge or information to form a belief as to the truth of the allegations contained
11 in said paragraph, and on that basis, Defendants deny each and every allegation
12 contained herein. Defendants further deny the allegations of said paragraph as they
13 are vague.

14 110. In answer to paragraph 110, Defendants are without sufficient
15 knowledge or information to form a belief as to the truth of the allegations contained
16 in said paragraph, and on that basis, Defendants deny each and every allegation
17 contained herein. Defendants further deny the allegations of said paragraph as they
18 are vague.

19 111. In an answer to paragraph 111, Defendants are without sufficient
20 knowledge or information to form a belief as to the truth of the allegations contained
21 in said paragraph, and on that basis, Defendants deny each and every allegation
22 contained herein. Defendants further deny the allegations of said paragraph as they
23 are vague.

24 112. In an answer to paragraph 112, Defendants are without sufficient
25 knowledge or information to form a belief as to the truth of the allegations contained
26 in said paragraph, and on that basis, Defendants deny each and every allegation
27 contained herein. Defendants further deny the allegations of said paragraph as they
28 are vague.

113. In an answer to paragraph 113, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

114. In an answer to paragraph 114, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague. Defendants deny that Plaintiffs are entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by these answering Defendants.

EIGHTH CLAIM FOR RELIEF

BATTERY

(Plaintiffs against Defendants RUNGE and COUNTY OF LOS ANGELES)

115. In an answer to paragraph 115, which incorporates by reference the allegations of other paragraphs of the pleading, Defendants to the same extent incorporate by reference the answers provided herein to those paragraphs.

116. In an answer to paragraph 116, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

117. Answering paragraph 117, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

HURRELL CANTRALL LLP
 725 S. FIGUEROA STREET, SUITE 3800
 LOS ANGELES, CALIFORNIA 90017
 TELEPHONE (213) 426-2000

118. In an answer to paragraph 118, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

119. In an answer to paragraph 119, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each and every allegation in this paragraph relating to the conduct allegedly attributable to it, and therefore denies any liability.

120. In an answer to paragraph 120, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague. Defendants deny that Plaintiffs are entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by these answering Defendants. However, as to BLAKE RUNGE, Defendant denies each and every allegation in this paragraph relating to the conduct allegedly attributable to him, and therefore denies any liability.

121. In an answer to paragraph 121, Defendants deny that Plaintiffs are entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by answering Defendants.

NINTH CLAIM FOR RELIEF

NEGLIGENCE

(Plaintiffs against Defendants RUNGE and COUNTY OF LOS ANGELES)

122. In an answer to paragraph 122, which incorporates by reference the

1 allegations of other paragraphs of the pleading, Defendants to the same extent
2 incorporate by reference the answers provided herein to those paragraphs.

3 123. In answer to paragraph 123, Defendants are without sufficient
4 knowledge or information to form a belief as to the truth of the allegations contained
5 in said paragraph, and on that basis, Defendants deny each and every allegation
6 contained herein. Defendants further deny the allegations of said paragraph as they
7 are vague.

8 124. In an answer to paragraph 124, Defendants are without sufficient
9 knowledge or information to form a belief as to the truth of the allegations contained
10 in said paragraph, and on that basis, Defendants deny each and every allegation
11 contained herein. Defendants further deny the allegations of said paragraph as they
12 are vague. However, as to BLAKE RUNGE, Defendant denies each and every
13 allegation in this paragraph relating to the conduct allegedly attributable to him, and
14 therefore denies any liability.

15 125. In an answer to paragraph 125, Defendants are without sufficient
16 knowledge or information to form a belief as to the truth of the allegations contained
17 in said paragraph, and on that basis, Defendants deny each and every allegation
18 contained herein. Defendants further deny the allegations of said paragraph as they
19 are vague. However, as to BLAKE RUNGE, Defendant denies each and every
20 allegation in this paragraph relating to the conduct allegedly attributable to him, and
21 therefore denies any liability.

22 126. Answering paragraph 126, Defendants are without sufficient
23 knowledge or information to form a belief as to the truth of the allegations contained
24 in said paragraph, and on that basis, Defendants deny each and every allegation
25 contained herein. Defendants further deny the allegations of said paragraph as they
26 are vague. However, as to BLAKE RUNGE, Defendant denies each and every
27 allegation in this paragraph relating to the conduct allegedly attributable to him, and
28 therefore denies any liability.

1 127. In answer to paragraph 127, Defendants are without sufficient
2 knowledge or information to form a belief as to the truth of the allegations contained
3 in said paragraph, and on that basis, Defendants deny each and every allegation
4 contained herein. Defendants further deny the allegations of said paragraph as they
5 are vague. However, as to BLAKE RUNGE, Defendant denies each and every
6 allegation in this paragraph relating to the conduct allegedly attributable to him, and
7 therefore denies any liability.

8 128. In answer to paragraph 128, Defendants state that because Plaintiffs
9 have not identified by name any specific individuals, Defendants are without
10 sufficient knowledge or information to form a belief as to the truth of the allegations
11 contained in said paragraph, and on that basis, Defendants deny each and every
12 allegation contained herein. Defendants further deny the allegations of said
13 paragraph as they are vague. However, as to BLAKE RUNGE, Defendant denies
14 each and every allegation in this paragraph relating to the conduct allegedly
15 attributable to him, and therefore denies any liability.

16 129. In answer to paragraph 129, Defendants are without sufficient
17 knowledge or information to form a belief as to the truth of the allegations contained
18 in said paragraph. Defendants deny the remaining allegations contained therein,
19 including because the remaining allegations are vague.

20 130. In answer to paragraph 130, Defendants are without sufficient
21 knowledge or information to form a belief as to the truth of the allegations contained
22 in said paragraph, on that basis, denies each and every allegation against Defendants
23 contained herein. Defendants deny that Plaintiffs are entitled to an award of
24 damages, or any other form of relief as requested in the Complaint as a result of any
25 acts or omissions by answering Defendants.

26 ///

27 ///

28

TENTH CLAIM FOR RELIEF**FALSE IMPRISONMENT****(Plaintiff URSULA BYRAM against Defendant ALCANTARA)**

131. In answer to paragraph 131, which incorporates by reference the allegations of other paragraphs of the pleading, Defendants to the same extent incorporate by reference the answers provided herein to those paragraphs.

132. In an answer to paragraph 132, Defendants state that these allegations are not asserted against the answering Defendants, and no response is required. To the extent a response is required, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

133. Answering paragraph 133, Defendants state that these allegations are not asserted against the answering Defendants, and no response is required. Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

134. In answer to paragraph 134, Defendants state that these allegations are not asserted against the answering Defendants, and no response is required. Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they are vague.

135. In answer to paragraph 135, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation contained herein. Defendants further deny the allegations of said paragraph as they

1 are vague. However, as to COUNTY OF LOS ANGELES, Defendant denies each
 2 and every allegation in this paragraph relating to the conduct allegedly attributable
 3 to it, and therefore denies any liability.

4 136. In answer to paragraph 136, Defendants deny that Plaintiff is entitled to
 5 an award of damages, or any other form of relief as requested in the Complaint as a
 6 result of any acts or omissions by answering Defendants.

7 **ELEVENTH CLAIM FOR RELIEF**

8 **VIOLATION OF CAL. CIV CODE § 52.1**

9 **(Plaintiff against Defendants RUNGE and COUNTY OF LOS ANGELES)**

10 137. In answer to paragraph 137, which incorporates by reference the
 11 allegations of other paragraphs of the pleading, Defendants to the same extent
 12 incorporate by reference the answers provided herein to those paragraphs.

13 138. In answer to paragraph 138, Defendants are without sufficient
 14 knowledge or information to form a belief as to the truth of the allegations contained
 15 in said paragraph, and on that basis, Defendants deny each and every allegation
 16 contained herein. Defendants further deny the allegations of said paragraph as they
 17 are vague.

18 139. In answer to paragraph 139, Defendants deny Plaintiffs' overly
 19 simplistic statement of the Bane Act.

20 140. In answer to paragraph 140, Defendants are without sufficient
 21 knowledge or information to form a belief as to the truth of the allegations contained
 22 in said paragraph, and on that basis, Defendants deny each and every allegation
 23 contained herein. Defendants further deny the allegations of said paragraph as they
 24 are vague. However, as to BLAKE RUNGE, Defendant denies each and every
 25 allegation in this paragraph relating to the conduct allegedly attributable to him, and
 26 therefore denies any liability.

27 141. In answer to paragraph 141, Defendants are without sufficient
 28 knowledge or information to form a belief as to the truth of the allegations contained

1 in said paragraph, and on that basis, Defendants deny each and every allegation
2 contained herein. Defendants further deny the allegations of said paragraph as they
3 are vague. However, as to BLAKE RUNGE, Defendant denies each and every
4 allegation in this paragraph relating to the conduct allegedly attributable to him, and
5 therefore denies any liability.

6 142. Answering paragraph 142, Defendants are without sufficient
7 knowledge or information to form a belief as to the truth of the allegations contained
8 in said paragraph, and on that basis, Defendants deny each and every allegation
9 contained herein. Defendants further deny the allegations of said paragraph as they
10 are vague. However, as to BLAKE RUNGE, Defendant denies each and every
11 allegation in this paragraph relating to the conduct allegedly attributable to him, and
12 therefore denies any liability.

13 143. In an answer to paragraph 143, Defendants are without sufficient
14 knowledge or information to form a belief as to the truth of the allegations contained
15 in said paragraph, and on that basis, Defendants deny each and every allegation
16 contained herein. Defendants further deny the allegations of said paragraph as they
17 are vague. However, as to BLAKE RUNGE, Defendant denies each and every
18 allegation in this paragraph relating to the conduct allegedly attributable to him, and
19 therefore denies any liability.

20 144. In an answer to paragraph 144, Defendants are without sufficient
21 knowledge or information to form a belief as to the truth of the allegations contained
22 in said paragraph, and on that basis, Defendants deny each and every allegation
23 contained herein. Defendants further deny the allegations of said paragraph as they
24 are vague. However, as to BLAKE RUNGE, Defendant denies each and every
25 allegation in this paragraph relating to the conduct allegedly attributable to him, and
26 therefore denies any liability.

27 145. In an answer to paragraph 145, Defendants are without sufficient
28 knowledge or information to form a belief as to the truth of the allegations contained

1 in said paragraph, and on that basis, Defendants deny each and every allegation
2 contained herein. Defendants further deny the allegations of said paragraph as they
3 are vague. However, as to BLAKE RUNGE, Defendant denies each and every
4 allegation in this paragraph relating to the conduct allegedly attributable to him, and
5 therefore denies any liability.

6 146. In an answer to paragraph 146, Defendants are without sufficient
7 knowledge or information to form a belief as to the truth of the allegations contained
8 in said paragraph, and on that basis, Defendants deny each and every allegation
9 contained herein. Defendants further deny the allegations of said paragraph as they
10 are vague.

11 147. Answering paragraph 147, Defendants are without sufficient
12 knowledge or information to form a belief as to the truth of the allegations contained
13 in said paragraph, and on that basis, Defendants deny each and every allegation
14 contained herein. Defendants further deny the allegations of said paragraph as they
15 are vague. Defendants deny that Plaintiffs are entitled to an award of damages, or
16 any other form of relief as requested in the Complaint as a result of any acts or
17 omissions by these answering Defendants. However, as to BLAKE RUNGE,
18 Defendant denies each and every allegation in this paragraph relating to the conduct
19 allegedly attributable to him, and therefore denies any liability.

20 148. In answer to paragraph 148, Defendants deny that Plaintiffs are entitled
21 to an award of damages, or any other form of relief as requested in the Complaint as
22 a result of any acts or omissions by answering Defendants.

23
24 **PRAYER FOR RELIEF**

25 149. In answer to page 40, lines 9-12, Defendants deny that Plaintiffs are
26 entitled to an award of damages, or any other form of relief as requested in the
27 Complaint as a result of any acts or omissions by answering Defendants.

AFFIRMATIVE DEFENSES

Defendants plead the following separate affirmative defenses. Defendants reserve the right to assert additional affirmative defenses that discovery indicates are proper.

FIRST AFFIRMATIVE DEFENSE

1. As a separate and distinct affirmative defense, Defendants allege Plaintiffs' Complaint fails to state facts sufficient to constitute a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

2. As a separate and distinct affirmative defense, Defendants allege Plaintiffs failed to fully comply with the Government Tort Claims Act.

THIRD AFFIRMATIVE DEFENSE

3. As a separate and distinct affirmative defense, Defendants allege that Plaintiffs' Complaint and each claim contained therein, is barred on the ground that the Defendants were not the cause in fact or substantial cause of any alleged damage, injury, or loss to plaintiffs, if any.

FOURTH AFFIRMATIVE DEFENSE

4. As a separate and distinct affirmative defense, Defendants allege Plaintiffs' Complaint, and each claim contained therein, is barred pursuant to the doctrine of unclean hands.

FIFTH AFFIRMATIVE DEFENSE

5. As a separate and distinct affirmative defense, Defendants allege that Plaintiffs lack standing to pursue any or all of the claims alleged in their Complaint.

SIXTH AFFIRMATIVE DEFENSE

6. As a separate and distinct affirmative defense, Defendants allege that Plaintiffs' Complaint, and each and every claim contained therein, and/or any amendments thereto, is barred by the applicable statute of limitations and/or *California Code of Civil Procedure* §335.1.

SEVENTH AFFIRMATIVE DEFENSE

7. As a separate and distinct affirmative defense, Defendants allege that Plaintiffs' Complaint fails to state a claim under 42 U.S.C. 1983 for Fourth and Fourteenth Amendment violations upon which relief can be granted against Defendant.

EIGHTH AFFIRMATIVE DEFENSE

8. As a separate and distinct affirmative defense, Defendants are protected from liability under the doctrine of qualified immunity.

NINTH AFFIRMATIVE DEFENSE

9. As a separate and distinct affirmative defense, Defendants allege Plaintiffs' Complaint, and each and every claim contained therein, and/or any amendments thereto, is barred by the applicable statute of limitations, including, but not limited to, *California Code of Civil Procedure* § 335.1, 338, 339, 340, 342, 343, and 583.210.

TENTH AFFIRMATIVE DEFENSE

10. As a separate and distinct affirmative defense, Defendants allege Plaintiffs' claims are barred by the failure of Plaintiffs to commence the action within the time required by *California Government Code* §§ 910, et. seq., 911.2, 911.4, 945.4, 945.6, 950.2, and 950.6.

ELEVENTH AFFIRMATIVE DEFENSE

11. As a separate and distinct affirmative defense, Defendants allege they are not liable for alleged violations by non-policymakers of civil or constitutional rights.

TWELFTH AFFIRMATIVE DEFENSE

12. As a separate and distinct affirmative defense, Defendants allege that the acts and omissions alleged in Plaintiffs' complaint were not taken under color of state law, and they are therefore not liable under title 42 U.S.C. § 1983.

THIRTEENTH AFFIRMATIVE DEFENSE

13. As a separate and distinct affirmative defense, Defendants allege Plaintiffs' Complaint, and each claim contained therein, is barred pursuant to the equitable doctrine of waiver.

FOURTEENTH AFFIRMATIVE DEFENSE

14. As a separate and distinct affirmative defense, Defendants allege that Plaintiffs' First Amended Complaint, and each claim contained therein, is barred pursuant to the equitable doctrine of laches.

FIFTEENTH AFFIRMATIVE DEFENSE

15. As a separate and distinct affirmative defense, Defendants allege Plaintiffs are estopped by their own acts or omissions from recovery against Defendants for the claims asserted in the Complaint.

SIXTEENTH AFFIRMATIVE DEFENSE

16. As a separate and distinct affirmative defense, Defendants allege any injury to Plaintiffs was due to and caused by the negligence and omissions of Plaintiffs to care for themselves, which carelessness and negligence and omissions were the proximate cause of the damage, if any, to Plaintiffs.

SEVENTEENTH AFFIRMATIVE DEFENSE

17. As a separate and distinct affirmative defense, Defendants allege Plaintiffs' alleged damages, if any, contained in the Complaint, were caused by persons and/or entities other than answering Defendants, who failed to exercise ordinary care, caution, prudence, and were negligent, or acted wrongfully in their dealing with Plaintiffs, and that at all times, said persons or entities were acting without consent, authorization, knowledge, and/or ratification of Defendants. Accordingly, any recovery against Defendants by Plaintiffs, if any, must be precluded and/or reduced in a proportionate amount to the fault on the part of such other person(s) and/or entities.

EIGHTEENTH AFFIRMATIVE DEFENSE

18. As a separate and distinct affirmative defense, to the extent Plaintiffs suffered any detriment, such detriment was caused or contributed to by Plaintiffs' negligence, and damages, if any, should be reduced in direct proportion to their fault.

NINETEENTH AFFIRMATIVE DEFENSE

19. As a separate and distinct affirmative defense, Defendants allege the conduct, if any, which is the subject of Plaintiffs' Complaint, was absolutely and/or conditionally legally privileged, and/or justified. Further, all actions by answering Defendants were in good faith and reasonable.

TWENTIETH AFFIRMATIVE DEFENSE

20. As a separate and distinct affirmative defense, Defendants allege that they are not liable in that the injuries and damages, if any, were the result of the exercise of the discretion vested in public officers and employees.

TWENTY-FIRST AFFIRMATIVE DEFENSE

21. Defendants preserve and assert any and all immunity rights under the California Government Code, including, but not limited to, *California Government Code* §§ 815.2, 818, 818.8, 820, 821.6, 821.8, 822.2, 844.6, 845, 845.2, 845.6, 850.8, 855, 856.2, and 856.4; and *California Penal Code* §§ 835, 835a, 836.5 and 847(b).

TWENTY-SECOND AFFIRMATIVE DEFENSE

22. As a separate and distinct affirmative defense, Defendants allege on or about the time, date, and place alleged in Plaintiffs' Complaint, the conduct of Plaintiffs and/or third persons or entity was of such nature as to constitute an independent, intervening, and superseding cause, which was the sole proximate cause of the injuries and damages allegedly suffered by Plaintiffs.

TWENTY-THIRD AFFIRMATIVE DEFENSE

23. As a separate and distinct affirmative defense, Defendants allege that

1 its acts or omissions were discretionary, requiring personal deliberation, decision
2 and judgment which were done honestly, reasonably and in good faith, and by virtue
3 of which they are immune from liability.

4 **TWENTY-FOURTH AFFIRMATIVE DEFENSE**

5 24. As a separate and distinct affirmative defense, Defendants allege that
6 all claims set forth in Plaintiffs' Complaint are barred because Plaintiffs failed to
7 take reasonable steps to mitigate their damages.

8 **TWENTY-FIFTH AFFIRMATIVE DEFENSE**

9 25. As a separate and distinct affirmative defense, Defendants are shielded
10 from liability for civil damages insofar as the conduct in this case did not violate any
11 statutory or constitutional right of which a reasonable person would have known.

12 **TWENTY-SIXTH AFFIRMATIVE DEFENSE**

13 26. As a separate and distinct affirmative defense, Plaintiffs' claims are
14 barred because the alleged violation of civil rights did not occur pursuant to a
15 governmental policy, custom, practice, or procedure.

16 **TWENTY-SEVENTH AFFIRMATIVE DEFENSE**

17 27. As a separate and distinct affirmative defense, Plaintiffs' Complaint,
18 and each claim contained therein, is barred by the doctrines of collateral estoppel
19 and res judicata.

20 **TWENTY-EIGHTH AFFIRMATIVE DEFENSE**

21 28. As a separate and distinct affirmative defense, Plaintiffs' action is
22 barred by the failure of Plaintiffs to join, in a timely fashion, indispensable and/or
23 necessary parties to this action.

24 **TWENTY-NINTH AFFIRMATIVE DEFENSE**

25 29. As a separate and distinct affirmative defense, the actions of this
26 answering Defendant in all respects were reasonable, proper, and legal.

27 **THIRTIETH AFFIRMATIVE DEFENSE**

28 30. As a separate and distinct affirmative defense, Defendants contend that

1 Plaintiffs' damages, if any, should be in direct proportion to the fault of this
 2 answering Defendant, if any, as provided by *California Civil Code* §§ 1431 to
 3 1431.5.

4 **THIRTY-FIRST AFFIRMATIVE DEFENSE**

5 31. As a separate and distinct affirmative defense, Defendants allege it is
 6 not liable pursuant to *California Penal Code* §§ 835a, 836, 836.5(b), and 847(b), in
 7 that any physical force or contact utilized was reasonable to effect a lawful arrest, or
 8 to prevent or overcome resistance.

9 **THIRTY-SECOND AFFIRMATIVE DEFENSE**

10 32. As a separate and distinct affirmative defense, Defendants allege the
 11 force used was caused and necessitated by the actions of Plaintiffs, and were
 12 reasonable and necessary for self-defense.

13 **THIRTY-THIRD AFFIRMATIVE DEFENSE**

14 33. As a separate and distinct affirmative defense, Defendants allege the
 15 force used was caused and necessitated by the actions of Plaintiffs, and was
 16 reasonable and necessary for the defense of others.

17 **THIRTY-FOURTH AFFIRMATIVE DEFENSE**

18 34. As a separate and distinct affirmative defense, Defendants are protected
 19 from liability under the doctrine of absolute immunity.

20 **THIRTY-FIFTH AFFIRMATIVE DEFENSE**

21 35. As a separate and distinct affirmative defense, Defendants allege that it
 22 is not liable per the doctrine of Assumption of Risk.

23 **THIRTY-SIXTH AFFIRMATIVE DEFENSE**

24 36. As a separate and distinct affirmative defense, Defendants allege that
 25 Plaintiffs' Complaint fails to state sufficient facts to entitle Plaintiffs to claims of
 26 punitive or exemplary damages from Defendant as a matter of law.

27 **THIRTY-SEVENTH AFFIRMATIVE DEFENSE**

28 37. As a separate and distinct affirmative defense, Defendants assert that

1 they are not liable for damages imposed primarily for the sake of example and by
2 way of punishing the Defendant.

3 **THIRTY-EIGHTH AFFIRMATIVE DEFENSE**

4 38. As a separate and distinct affirmative defense, Defendants allege the
5 conduct alleged in Plaintiffs' Complaint did not violate an interest cognizable under
6 42 U.S.C. § 1983.

7 **THIRTY-NINTH AFFIRMATIVE DEFENSE**

8 39. As a separate and distinct affirmative defense, Defendants allege
9 Plaintiffs' claims are barred by the doctrine of offset.

10 **FORTIETH AFFIRMATIVE DEFENSE**

11 40. As a separate and distinct affirmative defense, Defendants allege
12 Plaintiffs' claims are barred by the doctrine of release.

13 **FORTY-FIRST AFFIRMATIVE DEFENSE**

14 41. As a separate and distinct affirmative defense, Defendants allege they
15 are immune from the claim for relief in Plaintiffs' Complaint due to the application
16 of *California Code of Civil Procedure* § 262.1.

17 **FORTY-SECOND AFFIRMATIVE DEFENSE**

18 42. As a separate and distinct affirmative defense, Defendants allege that
19 under *California Government Code* § 815(b), 815.4, and 820.2, a public entity and
20 its employees, officers, and agents are not responsible for injury and damages
21 resulting from the act or omission that was a result of an exercise of discretion
22 vested in such officer, employee, or agent.

23 **FORTY-THIRD AFFIRMATIVE DEFENSE**

24 43. As a separate and distinct affirmative defense, Defendants allege
25 Plaintiffs' claims are barred because answering Defendants hold sovereign immunity
26 under the Eleventh Amendment of the United States Constitution.

27 **FORTY-FOURTH AFFIRMATIVE DEFENSE**

28 44. As a separate and distinct affirmative defense, Defendants allege that it

1 cannot be liable as any and all force used was objectively reasonable under the
2 circumstances.

3 **FORTY-FIFTH AFFIRMATIVE DEFENSE**

4 45. As a separate and distinct affirmative defense, answering Defendant
5 alleges that all Defendants sued in their official capacities are immune from the
6 imposition of punitive damages.

7 **FORTY-SIXTH AFFIRMATIVE DEFENSE**

8 46. As a separate and distinct affirmative defense, Defendants allege that
9 their acts or omissions were discretionary, requiring personal deliberation, decision
10 and judgment which were done honestly, reasonably and in good faith, and by virtue
11 of which they are immune from liability under title 42 U.S.C. § 1983.

12 **FORTY-SEVENTH AFFIRMATIVE DEFENSE**

13 47. As a separate and distinct affirmative defense, Defendants allege
14 Plaintiffs' claims for municipal liability are barred as they are improperly pled by
15 reference to the entire cases contrary to the *Federal Rules of Civil Procedure*, Rule
16 10(b).

17 **FORTY-EIGHTH AFFIRMATIVE DEFENSE**

18 48. As a separate and distinct affirmative defense, Defendants allege they
19 are not liable for any injury, whether such injury arises out of an act or omission of
20 the public entity or a public person or any other person pursuant to *California*
21 *Government Code* § 815.

22 **FORTY-NINTH AFFIRMATIVE DEFENSE**

23 49. As a separate and distinct affirmative defense, Defendants allege that
24 on or before the date of the subject incident, Plaintiffs knew or reasonably should
25 have known the hazards or dangers involved and, as a result, voluntarily assumed
26 the risks in and about the matters alleged in the Complaint.

27 **FIFTIETH AFFIRMATIVE DEFENSE**

28 50. As a separate and distinct affirmative defense, Defendants allege they

are not liable for the failure to discharge any mandatory duty in that they exercised reasonable diligence in the discharge of all duties as provided by *California Government Code* § 815.6.

FIFTY-FIRST AFFIRMATIVE DEFENSE

51. As a separate and distinct affirmative defense, Defendants allege they are not liable pursuant to statute by operation of *California Government Code* §§ 818.2 and 821 for the adoption or failure to adopt or enforce any law.

FIFTY-SECOND AFFIRMATIVE DEFENSE

52. As a separate and distinct affirmative defense, Defendants allege they are not liable by operation of *California Government Code* §§ 815.2(b) and 820.2 for injury resulting from an act or omission where the act or omission was the result of the exercise of the discretion vested in answering Defendant, whether or not such discretion be abused.

FIFTY-THIRD AFFIRMATIVE DEFENSE

53. As a separate and distinct affirmative defense, Defendants allege they are not liable by operation of *California Government Code* §§ 815.2(b) and 820.4 for the execution or enforcement of the law by public officers exercising due care.

FIFTY-FOURTH AFFIRMATIVE DEFENSE

54. As a separate and distinct affirmative defense, Defendants allege they are not liable by operation of *California Government Code* § 820.6 for injury caused by acts done in good faith, without malice, and under the apparent authority of an enactment that is unconstitutional, invalid, or inapplicable.

FIFTY-FIFTH AFFIRMATIVE DEFENSE

55. As a separate and distinct affirmative defense, Defendants allege they are not liable by operation of *California Government Code* §§ 815.2(b) and 820.8, in that the injuries and damages, if any, were caused by the acts or omissions of other persons, and not answering Defendants.

FIFTY-SIXTH AFFIRMATIVE DEFENSE

56. As a separate and distinct affirmative defense, Defendants allege that Plaintiffs' Complaint fails to state a claim under 42 U.S.C. § 1983 for a Monell Claim upon which relief can be granted against Defendants.

FIFTY-SEVENTH AFFIRMATIVE DEFENSE

57. As a separate and distinct affirmative defense, Defendants allege that Plaintiffs' claims are barred by Plaintiffs' failure to comply with the administrative claim provisions of *California Government Code* § 910, et. seq.

FIFTY-EIGHTH AFFIRMATIVE DEFENSE

58. As a separate and distinct affirmative defense, Defendants allege that their conduct did not cause the constitutional violations alleged in Plaintiffs' Complaint.

FIFTY-NINTH AFFIRMATIVE DEFENSE

59. As a separate and distinct affirmative defense, defendants allege Plaintiffs do not have standing to sue.

SIXTIETH AFFIRMATIVE DEFENSE

60. Answering Defendants allege that in the event that they prevail at trial, or by way of dispositive motion, they will be entitled to recovery of reasonable attorneys' fees and costs under *California Code of Civil Procedure* § 1038 and Title 42 U.S.C. § 1988.

SIXTY-FIRST AFFIRMATIVE DEFENSE

61. As a separate and distinct affirmative defense, Defendants allege the Plaintiffs' claims are barred by the failure of Plaintiffs to exhaust all administrative remedies including, but not limited to, all remedies pursuant to 42 U.S.C. §1977.

SIXTY-SECOND AFFIRMATIVE DEFENSE:

62. As a separate and distinct affirmative defense, Defendants allege that Plaintiffs' Complaint fails to state a claim under 42 U.S.C. § 1983 upon which relief can be granted against Defendants.

SIXTY-THIRD AFFIRMATIVE DEFENSE:

63. As a separate and distinct affirmative defense, Defendants allege that named Defendants are not liable for any policymaking decisions, customs, or practices as implemented.

SIXTY-FOURTH AFFIRMATIVE DEFENSE:

64. As a separate and distinct affirmative defense, Defendants allege that if Plaintiffs suffered or sustained any injury, damage, or detriment from the death of EVERETT BYRAM, the same was proximately caused and contributed to by the negligence of the decedent, EVERETT BYRAM, in that, at the time and place set forth in the Complaint, EVERETT BYRAM failed to exercise that degree of care and caution which an ordinarily prudent person would exercise under the same or similar circumstances.

SIXTY-FIFTH AFFIRMATIVE DEFENSE:

65. As a separate and distinct affirmative defense, Defendants allege that if Plaintiffs suffered or sustained any injury, damage, or detriment from the death of EVERETT BYRAM the same was proximately caused and contributed to by the negligence of Plaintiffs, in that, at the time and place set forth in the Complaint, Plaintiffs failed to exercise that degree of care and caution which an ordinarily prudent person would exercise under the same or similar circumstances.

SIXTY-SIXTH AFFIRMATIVE DEFENSE:

66. As a separate and distinct affirmative defense, Defendants herewith places in issue the negligence, if any, of all persons who contributed in any degree to the happening of the incident alleged in the Complaint, and the degree that such negligence contributed to the damages and/or the injuries sustained, if any, as a result of said incident.

SIXTY-SEVENTH AFFIRMATIVE DEFENSE:

67. As a separate and distinct affirmative defense, Defendants herewith place in issue the negligence, if any, of all persons which contributed in any degree

1 to the damages and/or injuries alleged in the Complaint, and the degree that such
 2 negligence contributed to the damages and/or injuries allegedly sustained.

3 **SIXTY-EIGHTH AFFIRMATIVE DEFENSE:**

4 68. As a separate and distinct affirmative defense, Defendants allege that at
 5 or about the time, date and place alleged in the Complaint, Plaintiffs and other
 6 persons or parties failed to exercise ordinary care, and such failure was a
 7 contributing cause of the incident and/or injuries allegedly sustained in said
 8 incident; and the trier of fact is requested to determine the existence of such
 9 negligence and the degree that such negligence contributed to the incident and/or
 10 injuries.

11 **SIXTY-NINTH AFFIRMATIVE DEFENSE:**

12 69. As a separate and distinct affirmative defense, Defendants allege that
 13 Plaintiffs did not exercise ordinary care, caution, prudence, and good faith in
 14 connection with the transactions and events that are alleged in the Complaint;
 15 Plaintiffs' lack of care, caution, prudence, and good faith was independent and
 16 unrelated to the actions or omissions, if any, of Defendants. In addition, Plaintiffs
 17 directed, ordered, approved and/or ratified the alleged wrongful acts or omissions, if
 18 any, set forth in the Complaint. Therefore, Plaintiffs are barred from recovery
 19 against Defendants, or, alternatively, Plaintiffs' recovery, if any, should be
 20 proportionately reduced.

21 **SEVENTIETH AFFIRMATIVE DEFENSE:**

22 70. As a separate and distinct affirmative defense, Defendants allege that at
 23 the time of the filing of Plaintiffs' Complaint, Plaintiffs knew or should have known
 24 the true names and capacity of these Defendant, but, instead of naming these
 25 Defendants, Plaintiff have sued and served this Defendant as a DOE defendants by
 26 amending Plaintiffs' Complaint after the expiration of the statute of limitations as
 27 prescribed in *Code of Civil Procedure Section 335*, et seq., and contrary to the
 28 provisions of *Code of Civil Procedure Section 474*. Therefore, Plaintiffs' Complaint

HURRELL CANTRALL LLP
725 S. FIGUEROA STREET, SUITE 3800
LOS ANGELES, CALIFORNIA 90017
TELEPHONE (213) 426-2000

1 against this Defendant is barred by the statute of limitations.

2 **SEVENTY-FIRST AFFIRMATIVE DEFENSE:**

3 71. As a separate and distinct affirmative defense, Defendants allege
4 Plaintiffs' Complaint fails to state facts sufficient to constitute a claim upon which
5 relief can be granted.

6 **ADDITIONAL AFFIRMATIVE DEFENSE**

7 Defendants are informed and believes, and thereon alleges, that they have
8 insufficient knowledge or information on which to form a belief as to whether
9 additional any unstated affirmative defenses are available. Defendants reserves the
10 right to assert additional affirmative defenses in the event discovery reveals that so
11 doing would be appropriate.

12
13 WHEREFORE, Defendants prays that:

- 14 A. Plaintiffs take nothing by reason of his Complaint;
15 B. Plaintiffs' Complaint be dismissed with prejudice;
16 C. Defendants recover his costs of suit; and
17 D. Defendants be awarded such further relief as the Court deems just and
18 proper.

19 HURRELL CANTRALL LLP

20 DATED: April 12, 2024

21
22
23 By: /s/ Nicole G. Ortega
24 THOMAS C. HURRELL
25 JORDAN S. STERN
26 NICOLE G. ORTEGA
27 Attorneys for Defendants COUNTY OF
28 LOS ANGELES and BLAKE RUNGE

DEFENDANT DEMANDS A TRIAL BY JURY

Defendants COUNTY OF LOS ANGELES and BLAKE RUNGE, hereby respectfully demand a trial by jury in the above-entitled action. This demand is made to all claims, matters, and issues to which Defendants may legally be entitled to demand a jury.

DATED: April 12, 2024

HURRELL CANTRALL LLP

By: /s/ Nicole G. Ortega

THOMAS C. HURRELL

JORDAN S. STERN

NICOLE G. ORTEGA

Attorneys for Defendants COUNTY OF
LOS ANGELES and BLAKE RUNGE

HURRELL CANTRALL LLP
725 S. FIGUEROA STREET, SUITE 3800
LOS ANGELES, CALIFORNIA 90017
TELEPHONE (213) 426-2000